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Nomination Hearing (1985)

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# *National Federation of State Humanities Councils*

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## *Government and Public Affairs*

TO:            Chairpersons and Executive Directors of State Humanities Councils

FROM:        Federation Staff

DATE:        March 8, 1985

SUBJECT:    NEH Chairmanship; Hearing on FY 1986 Budget for the NEH; Reauthorization Hearings for NEH; Revised Report on Lobbying by Nonprofit Organizations

### CHAIRMANSHIP OF THE NATIONAL ENDOWMENT FOR THE HUMANITIES

As we reported in recent government and public affairs memos, the Administration has planned to nominate Edward Curran, currently Deputy Director of the Peace Corps, to be chairman of the NEH. Two stories, from the Washington Post and the Chronicle of Higher Education (attached), confirm and expand on earlier reports about the Administration's intentions with regard to the NEH.

Curran's nomination apparently was signed by President Reagan at the same time as he appointed William Bennett, former NEH chairman, to be Secretary of Education. However, the nomination has been held up by what the White House publically calls "routine checks." As the Chronicle reports, it appears that moderates in the White House have stalled the process, while education leaders and even members of Congress have begun to express doubts and concern about the appropriateness of the nomination.

Mr. Curran, who holds an M.A. in history from Yale University and an M.A.T. from Duke University, was headmaster of the National Cathedral School (a private girls' school in Washington, DC) from 1968 to 1980. He directed Professionals for Reagan-Bush during the 1980 election. In 1982 he was appointed to direct the National Institute of Education, the research branch of the Department of Education; after seven months there, he wrote to President Reagan that the Department should be abolished. Two months later, Secretary of Education Terrell Bell fired him. As Deputy Director of the Peace Corps, Curran has also clashed with his colleagues, and has not carried out substantive work there for several months.

According to the legislation establishing the NEH, its chairman is appointed by the President, "by and with the advice and consent of the Senate." Robert T. Stafford (R-VT), chair of the Senate Subcommittee on Education, Arts and Humanities, the committee that oversees NEH activities, has warned that he would put a hold on Mr. Curran's nomination if it should be sent to the Senate. (Such a hold was placed on his nomination to the Peace Corps by Senator Alan Cranston, D-CA.)

Meanwhile, others have been named as possible candidates for the NEH post. They include William Barclay Allen, a professor of history at Claremont College in California; Gertrude Himmelfarb, professor of history at City University of

New York; Robert Hollander, Jr., an historian and professor of comparative literature at Princeton University; Charles R. Ritcheson, university librarian at the University of Southern California; and Robin W. Winks, professor of history at Yale University. Allen, Himmelfarb and Ritcheson serve on the National Council for the Humanities. Hollander is a former member of the National Council and past chairman of the New Jersey Committee for the Humanities. Our latest information is that Ritcheson is the leading alternative candidate.

As the news accounts and other Washington sources indicate, individuals and educational associations have expressed concern about Mr. Curran's nomination. The argument made to Fred Fielding (Counsel to the President on the White House staff) and to Senator Stafford and his committee colleagues (a list is attached) is that the qualifications of candidates must be well matched with the requirements of the NEH chairmanship.

#### HEARING ON FY 1986 BUDGET FOR THE NEH

On March 20, the House Subcommittee on Interior and Related Agencies will hold a hearing for outside witnesses to discuss the FY 1986 federal appropriation to the NEH. This committee is chaired by Sidney Yates (D-IL); a complete list of members is attached.

The Administration has requested \$126,000,000 for the NEH in FY 1986. In FY 1985 the NEH received an appropriation of \$139,478,000. Within the proposed budget, the Division of State Programs would receive \$16,820,000 (exactly 20% of definite program funds), a 21.45% decrease over its FY 1985 allocation of \$21,413,000.

The Federation is collaborating with the National Humanities Alliance in selecting witnesses and outlining issues and strategies for the hearing. It will be the first in the several-step process by which an annual appropriation for the NEH is determined: hearings of agency witnesses will be held by House and Senate subcommittees, House and Senate Interior appropriations bills will be drafted, and if necessary, a conference committee will meet later in the year to work out a final bill that will be submitted to Congress for approval.

Key factors in determining the final NEH budget will include the Administration's intention to freeze, cut or even eliminate many social and education programs, and Congress's concern over the federal budget deficit. At its March 11-12 meeting, the Federation Board of Directors considered approaches to the FY 1986 NEH budget including the initial position of the National Humanities Alliance to seek level funding (i.e. \$139,478,000 plus any new programs) for the NEH. While the Board agreed to support the Alliance position, it also acknowledged such factors as state councils' need for increased availability of Treasury funds. Moreover, it is still very early in the process of determining the next NEH budget; over the next few weeks the initial position may be modified to incorporate, for example, a request for a cost-of-living increase, or other changes in the budget.

#### REAUTHORIZATION HEARINGS FOR THE NEH

Plans are being made in both the House and Senate to conduct mid-spring hearings on the reauthorization of the NEH, due to be completed by the end of FY 1985 (September 30). These hearings, the first steps in the reauthorization process, will take place before the Senate Subcommittee on Education, Arts and Humanities (Robert Stafford, R-VT, Chair) and the House Subcommittee on Postsecondary Education (William Ford, D-MI, Chair). (Complete committee lists, which have changed since the 1984 elections, are attached here.)

As we reported in a previous mailing, the House committee on Education and Labor had considered shifting jurisdiction over the NEH from its Subcommittee on Postsecondary Education to the Subcommittee on Select Education (which had this jurisdiction when NEH was first established). However, it now appears that this shift will not occur, so that the Postsecondary Education subcommittee will oversee this reauthorization of the NEH.

This subcommittee also oversees authorization of the Higher Education Act and, in preparation for work on this large piece of legislation, membership on the Postsecondary Education committee has dramatically increased, with five new majority seats and one new minority seat. Moreover, as the attached committee list shows, there are many members new to this subcommittee, due to the 1984 elections and reassignments. Many of these representatives may not be familiar with the NEH or the work of the state humanities councils.

Following a series of regional symposia, supplemented by information from a 1984 Federation poll of state humanities councils, a consensus developed that no changes in the legislation (the National Foundation on the Arts and Humanities Act) should be sought, although matters of interpretation and emphasis may be included in the report that will accompany the reauthorization bill. (The NEH itself has also stated that it plans to request no substantive changes in the legislation.)

It appears at this early stage in the reauthorization process that a key issue may be the wording of the section which authorizes funding levels for the NEH over the next several years. While the Administration and Senate may support authorization for "such sums" as are necessary each year, the House and a number of humanities organizations would support inclusion of specific figures (for example, a \$250,000,000 authorized level for the NEH budget in FY 1987). Such specificity is viewed as a protection against possible cuts in future NEH budgets.

In the last (1980) reauthorization of the NEH, the only controversial feature of the legislation when it was reviewed by the Congress was the status of the state humanities councils and their desire to remain private, non-governmental bodies. The Federation expects once again to demonstrate to the Congress that the programs are working well as presently structured and that any change would impede the progress of the councils in carrying out the public programming mission as stated in the legislation. (An updated Federation report on state council relations with agencies of state government will be available in early spring; this and other research reports and information have already been requested by Congressional committees working on reauthorization.)

#### REVISED REPORT ON LOBBYING BY NONPROFIT ORGANIZATIONS

Attached is a revised version of the Federation report on lobbying by nonprofit organizations, incorporating changes resulting from revisions in OMB's Circular A-122 (governing lobbying by nonprofit federal grantees and contractors).